
A BILL FOR AN ACT

RELATING TO MICROBEADS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that plastic microbeads
2 in many beauty products are harmful to coral and marine life.
3 Plastic microbeads can enter the ocean when they come off the
4 skin of swimmers, or through the sewer system when they are
5 eventually washed off in the shower, as they are too small to be
6 filtered out by most treatment facilities, and can often absorb
7 chemicals and toxins found in water along the way. Plastic
8 microbeads can enter the ocean by the billions, which are then
9 ingested by marine life, passing up through the food chain to
10 the humans who eat fish.

11 The purpose of this Act is to phase in a prohibition on the
12 manufacture and sale in the State of certain personal care
13 products and non-prescription drugs that contain plastic
14 microbeads. The legislature notes that nothing in this Act
15 shall be construed to apply to rinse-off cosmetics and rinse-off
16 cosmetics that are also non-prescription drugs, as these



1 products are exclusively regulated by the federal government
2 pursuant to the federal Microbead-Free Waters Act of 2015.

3 SECTION 2. Chapter 321, Hawaii Revised Statutes, is
4 amended by adding a new section to part I to be appropriately
5 designated and to read as follows:

6 "§321- Prohibition of plastic microbeads; personal care
7 products; non-prescription drugs. (a) Beginning July 1, 2022,
8 no person shall manufacture in the State a personal care
9 product, except for a non-prescription drug, that contains
10 plastic microbeads.

11 (b) Beginning July 1, 2023, no person shall:

12 (1) Sell or offer for sale in the State a personal care
13 product, except for a non-prescription drug, that
14 contains plastic microbeads; or

15 (2) Manufacture in the State a non-prescription drug that
16 contains plastic microbeads.

17 (c) Beginning July 1, 2024, no person shall sell or offer
18 for sale in the State a non-prescription drug that contains
19 plastic microbeads.

20 (d) Nothing in this section shall be construed to apply to
21 any rinse-off cosmetic or rinse-off cosmetic that is also a non-



1 prescription drug as regulated pursuant to the federal
2 Microbead-Free Waters Act of 2015, P.L. 114-114.

3 (e) As used in this section:

4 "Personal care product" means an article intended to be
5 rubbed, poured, sprinkled, or sprayed on, introduced into, or
6 otherwise applied to the human body or any part thereof for
7 cleansing; beautifying; promoting hygiene or attractiveness; or
8 altering one's appearance, including skin care or sun protection
9 products; and any article intended for use as a component of the
10 article. "Personal care product" does not include any
11 prescription drug.

12 "Plastic microbead" means a plastic particle that is less
13 than five millimeters in size."

14 SECTION 3. If any provision of this Act, or the
15 application thereof to any person or circumstance, is held
16 invalid, the invalidity does not affect other provisions or
17 applications of the Act that can be given effect without the
18 invalid provision or application, and to this end the provisions
19 of this Act are severable.

20 SECTION 4. New statutory material is underscored.

21 SECTION 5. This Act shall take effect on January 1, 2050.



Report Title:

Plastic Microbeads; Manufacture or Sale; Personal Care Products;
Non-Prescription Drugs; Prohibition

Description:

Beginning 7/1/2022, bans the manufacture of a personal care product, except a non-prescription drug, that contains plastic microbeads. Beginning 7/1/2023, bans the sale or offer for sale of a personal care product, except a non-prescription drug, that contains plastic microbeads. Beginning 7/1/2024, bans the sale or offer for sale of a non-prescription drug that contains plastic microbeads. Specifically exempts rinse-off cosmetics or rinse-off cosmetics that are also non-prescription drugs regulated by the federal Microbead-Free Waters Act of 2015. Effective 1/1/2050. (HD1)

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